

## **§ 46.05–20**

a port or place in the United States or her possessions and passes outside the line dividing inland waters from the high seas and navigates on the high seas, and then returns to the same port or place.

### **§ 46.05–20 Great Lakes voyage.**

A Great Lakes voyage is any voyage from a United States port or place on the Great Lakes to another United States port or place on the Great Lakes or to a Canadian port or place on the Great Lakes, or conversely.

### **§ 46.05–25 New passenger vessel.**

A new passenger vessel is a vessel whose keel was laid or was a vessel converted into a passenger vessel on or after May 26, 1965.

[CGFR 65–50, 30 FR 16769, Dec. 30, 1965, as amended by CGFR 68–60, 33 FR 10077, July 12, 1968]

### **§ 46.05–30 Existing passenger vessel.**

An existing passenger vessel in respect to its voyage is any passenger vessel that is not a new passenger vessel as defined in § 46.05–25.

## **Subpart 46.10—Administration**

### **§ 46.10–1 Relaxation from regulations.**

(a) New passenger vessels making foreign voyages by sea shall comply with the requirements in this part. An existing passenger vessel engaged in foreign voyages by sea may be permitted relaxation from the requirements of this part if, in the opinion of the Commandant, U.S. Coast Guard, such requirements are unreasonable or impracticable.

(b) A new passenger vessel making coastwise voyages by sea or making Great Lakes voyages shall comply with the requirements in this part. An existing passenger vessel making coastwise voyages by sea or Great Lakes voyages may be permitted relaxation from the requirements of this part if, in the opinion of the Commandant, U.S. Coast Guard, such requirements are unreasonable or impracticable.

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### **§ 46.10–5 Load line requirements for subdivision.**

(a) The load line requirements of parts 42, 44, 45 of this subchapter as applicable to the passenger vessel and her service, shall be complied with before a passenger vessel will be marked with and certificated as to subdivision load lines.

[CGFR 65–50, 30 FR 16769, Dec. 30, 1965, as amended by CGFR 68–60, 33 FR 10077, July 12, 1968]

### **§ 46.10–10 Marks to indicate subdivision load lines.**

(a) Marks to indicate the maximum mean draft to which a passenger vessel may be lawfully submerged shall be permanently marked on each side of the passenger vessel in the form, manner, and location provided in this part.

(b) The Commandant, U.S. Coast Guard, will determine the position of the subdivision load lines by the application of the requirements contained in this part and parts 170 and 171 of this chapter. The correct marking of subdivision load lines will be certified by the American Bureau of Shipping or a classification society approved by the Commandant for that purpose.

(c) Certificates certifying to the correctness of subdivision load line marks shall not be furnished until it is determined that the marks have been correctly placed upon the passenger vessel.

(d) In the case of passenger vessels that are required by the International Convention for Safety of Life at Sea to have on board a safety certificate, the certification of subdivision, load line marks shall be made by letter to the Commandant (G–M), U.S. Coast Guard, Washington, DC 20593–0001.

[CGFR 65–50, 30 FR 16769, Dec. 30, 1965, as amended by CGFR 68–60, 33 FR 10077, July 12, 1968; CGD 79–023, 48 FR 51007, Nov. 4, 1983; CGD 88–070, 53 FR 34534, Sept. 7, 1988]

### **§ 46.10–15 Survey for the establishment and renewal of subdivision load line marks.**

(a) Every passenger vessel to be marked with and certificated for subdivision load lines must comply with the requirements as set forth in subchapter H (Passenger Vessels) of this chapter for ocean, coastwise, and Great

Lakes service as applicable to the particular vessel and the service in which she is to be employed.

(b) Every passenger vessel marked with a subdivision load line shall be subjected to the surveys specified in this paragraph. The details of the surveys or inspections indicated in paragraphs (b)(1) through (3) of this section shall be as set forth in the applicable sections of part 71 of subchapter H (Passenger Vessels) of this chapter.

(1) A survey before the vessel is put in service.

(2) A periodical survey once every 12 months.

(3) Additional surveys as occasion arises.

(4) Surveys required by part 42, part 44, or part 45 of this subchapter.

[CGFR 65-50, 30 FR 16769, Dec. 30, 1965, as amended by CGFR 68-60, 33 FR 10077, July 12, 1968]

#### § 46.10-20 Application for the assignment and renewal of subdivision load lines.

(a) Application for assignment and renewal of subdivision load lines and certification thereof shall be made in writing to the Commandant, U.S. Coast Guard, Washington, D.C. 20593-0001.

[CGFR 65-50, 30 FR 16769, Dec. 30, 1965, as amended by CGFR 68-60, 33 FR 10077, July 12, 1968; CGD 88-070, 53 FR 34534, Sept. 7, 1988]

#### § 46.10-25 Equivalents.

(a) Where in the regulations in this part it is provided that a particular fitting, appliance, apparatus, or type thereof, shall be fitted or carried in a vessel engaged on foreign voyages by sea or that any particular arrangement shall be adopted, there may be substituted any other fitting or appliance or type thereof or any other arrangement provided that the Commandant, U.S. Coast Guard, shall have been satisfied by suitable trials that the fitting, appliance, or apparatus, or type thereof, or that the arrangement substituted is at least as effective as that specified in this part.

(b) Where, in the application of the regulations in this part to passenger vessels engaged in coastwise voyages by sea and on Great Lakes voyages, it is desired to substitute other construction, arrangement, fitting, or appli-

ance, or type thereof, such substitution may be made if approved by the Commandant, U.S. Coast Guard, provided the degree of safety provided by this part is obtained.

#### § 46.10-30 Subdivision load line certificates.

(a) Passenger vessels engaged in foreign voyages by sea shall have their subdivision load lines certified on the safety certificate required by the International Convention for Safety of Life at Sea, 1960. Safety certificates shall be issued by the Commandant, U.S. Coast Guard, for a period not to exceed one year. These vessels will also be provided with the load line certificate required by part 42 of this subchapter, the minimum freeboard shown thereon to be not less than the minimum freeboard corresponding to the principal passenger condition. The fact that they are subdivision load lines is to be noted on the load line certificate.

(b) Passenger vessels engaged on coastwise voyages by sea or Great Lakes voyages shall have the position of their subdivision load lines recorded on a load line certificate in the form required by part 42 or part 45 of this subchapter. The fact that they are subdivision load lines is to be noted on the load line certificate.

(c) A note shall be added to the load line certificate below the signature of the assigning—authority in the following form:

The bulkhead deck used for determining the position of the subdivision load lines certified above is \_\_\_\_\_ (here described bulkhead deck).

(d) Annual inspections of passenger vessels shall be as required by §§ 42.09-40 and 46.10-15 of this subchapter and renewal of passenger vessels' load line certificates shall be as required by §§ 42.09-15 and 42.09-20.

(e) Each new passenger vessel which receives its first load line certificate shall also be provided with a copy of the load line survey report as required by § 42.09-1(c) or § 45.01-30 of this subchapter.

[CGFR 65-50, 30 FR 16769, Dec. 30, 1965, as amended by CGFR 68-60, 33 FR 10077, July 12, 1968; CGFR 68-126, 34 FR 9019, June 5, 1969; CGD 80-120, 47 FR 5723, Feb. 8, 1982; CGD 88-070, 53 FR 34534, Sept. 7, 1988]